

### **REMARKS**

The present invention is a multimedia content delivery system and a process for providing multimedia content from a content provider. A multimedia content delivery system in accordance with an embodiment of an invention includes a content provider 44 providing multimedia files; a first integrated circuit card interface 48 for receipt of the host integrated circuit card 62 containing first authorization information as for example discussed at the bottom of page 13 of the specification; a second integrated circuit card interface 50 for receipt of a user integrated circuit card 64 containing second authorization information which is also discussed at the bottom of page 13 of the specification; an input device 46 for selecting at least one multimedia file from the plurality of multimedia files; an output device 56 for providing the content of the at least one authorized multimedia file provided by the content provider to a user of the user integrated circuit card; and a control unit 42, responsive to host and user integrated circuit cards being received in the first and second integrated circuit card interfaces, which compares the first and second authorization information and when the first and second authorization information is found to be compatible actuates the output device to provide the content of the selected at least one multimedia file from the content provider selected by the input device under control of the authorization information which authorizes downloading of the at least one authorized multimedia file through the output device contained in the first and second authorization information. As may be seen from

the embodiment in Figure 1 the content is provided from the multimedia database 44 and therefore "is not provided from the integrated circuit cards" as recited in independent claims 1 and 19.

Claims 1-28 stand rejected under 35 U.S.C. §112, first paragraph as failing to comply with the enablement requirement. The Examiner indicates that "[t]he specification as originally filed (11/30/2000) did not disclose a content provider wherein the content is not provided from the integrated circuit cards". This ground of rejection is traversed for the following reasons.

As the Examiner is aware support in a specification of a patent application under the USPTO rules of practice is defined in 37 C.F.R. §1.75(d)(1) as requiring "[t]he claim or claims must conform to the invention as set forth in the remainder of the specification in the terms and phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description (emphasis added)".

As explained above, the specification contains embodiments of the invention as illustrated for example in Figure 1 in which there is no doubt that the multimedia database 44 is the source of the files which are claimed as the content provider. Page 12, line 22 et seq. disclose "[w]hen a customer wishes to access a multimedia file from database 44, the proprietor of the establishment at which multimedia terminal 40a is located in search a host IC card 62 into the host IC card interface 48 and provides the customer with a user IC card 64...customer than inserts IC

card 64 into a user IC card interface 50 and actuates the user input device 46 to select one or more multimedia files to be downloaded” (emphasis added). It is therefore seen that claims 1 and 19 are inter alia readable upon the embodiment of Fig. 1 in which the content provider is not either host IC card 62 or the user IC card 64 since it is described on page 15 of the specification there neither card functions as a content provider. Therefore Fig. 1 provides support to a person of ordinary skill in the art that “the content is not provided from the integrated circuit cards” since the only source of content which described is a multimedia database 44. Accordingly, it is submitted that the rejection of the claims is not being based upon an enabling disclosure is improper and should be withdrawn.

Claims 1-28 stand rejected under 35 U.S.C. §103 as being unpatentable under United States Patent 6,457,640 (Ramachandran) in view of United States Patent 5,979,773 (Findley). These grounds of rejection are traversed for the following reasons.

Independent claims 1 and 19 substantively recite a first integrated circuit card interface which receives a first or host integrated circuit card containing first authorization information and a second integrated circuit card which receives a second or a user integrated circuit card containing second authorization information which authorized information is processed by a control unit when the integrated circuit cards are received in the first and second integrated circuit card interfaces by comparing the authorization information and when the first and second authorization

information is found to be compatible actuates an output device for providing the content of at least one authorized multimedia file provided by a content provider to a user of the user integrated circuit card selected by an input device under the control of the authorization information, which authorizes downloading of at least one authorized multimedia files through the output device, contained in the first and second authorization information. This subject matter has no counterpart in the combined combination of Ramachandran et al. and Findley et al. for the following reasons.

Findley et al. disclose the providing of content from a digital information source 32 under a control of a computer processor 12 to a portable computing device 38. See column 6, lines 15-52. The Examiner correctly observes that the content is not provided from an integrated circuit card. The ATM 10 includes at least one input device 16 which permits this selection of digital content. See column 7, lines 11-22 which is a form of authorization. However, there is no counterpart of the claimed authorization information as set forth in independent claims 1 and 19 which must be present in both a first integrated circuit card and a second integrated circuit card and which is further processed by the control unit so that a comparison of the authorization information contained on the first and second integrated circuit cards must be found to be compatible which then actuates the output device to provide content of the at least one multimedia file from the content provider selected by the input device under the control of the authorization

information which authorizes downloading of the authorized multimedia files through the output device, contained in the first and second authorization information.

The Examiner cites Findley et al. as disclosing a second integrated circuit card interface for a receipt of the user integrated circuit card containing second authorization information. However, Findley et al. is a fundamentally different type of system. Findley et al. utilize two cards which are described as an access card A and an identification card B for the purpose of permitting retrieving of information by the access card A from the identification card B. See column 5, lines 9-48 and column 6, lines 62-67 through column 7, lines 1-46. Therefore, it is seen that Findley's utilization of two cards does not suggest a comparison of authorization information contained on both card A and card B which is utilized by a control unit in a comparison of first and second authorization information contained in the integrated circuit cards and upon a finding of the information being compatible actuates an output device to provide the content of at least one multimedia file from the content provider selected by an input device under the control of the authorization information which authorizes downloading of at least one authorized multimedia file to the output service. Findley et al's utilization of cards A and B is a totally different methodology than the downloading of content from the content provider which is not based on either card.

In the first place, it is submitted that the Examiner has not demonstrated any justification in the record why a person of ordinary skill

in the art would be lead to utilize in the ATM machine of Ramachandran et al. the combination of two cards for obtaining access to a digital information source 32 when it is well understood that ATM systems are based upon conventional line card reading of a single card. The Examiner has not demonstrated why an ATM machine would be considered by a person of ordinary skill in the art to be more desirably operable with the utilization of two cards as claimed.

Moreover, the utilization of the two cards of Findley et al. wherein the access card A is the source of information which is downloaded to the identity card B is non-analogous to the source of information in Ramachandran et al. which is distributed from the digital information source 32 to the portable computing device 38. If the combination of Ramachandran et al. and Findley et al. was made as suggested by the Examiner, the system of Findley et al. would not even be operative since the only source of information in Findley et al. is the access card A and therefore the claimed providing of content from a source other than the access card A would not be suggested to a person of ordinary skill in the art from the modification of using with two cards of Findley et al. as proposed by the Examiner.

Moreover, it is submitted that the proposed combination would not meet the control unit limitation of claim 1 and step (e) of claim 19 which requires the determination of compatibility of the first and second authorization information followed by content from the content provider being provided under control of authorization information contained in the

first and second authorization information which authorizes the downloading of the media file through the output device to a user of the second integrated circuit card.

Newly submitted claims 49-58 recite further aspects of the authorization information as recited in independent claims 1 and 19 which are based upon the disclosure at the bottom of page 13 and the top of page 14 of the specification. It is submitted that there is no disclosure in the combined combination of Ramachandran et al. and Findley et al. of authorization information on both of the integrated circuit cards which indicates a multimedia file, a group of multimedia files, a category of multimedia files, a maximum number of multimedia files or a maximum monetary value of multimedia files that the user is authorized to download.

In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance. Accordingly, early allowance thereof is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees,

to Deposit Account No. 01-2135 (0171.39114X00) and please credit any  
excess fees to such Deposit Account.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Donald E. Stout", is written over a horizontal line.

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